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SEP 20 2005

Attorney Docket No: SALK 1510-3  
(088802-8704)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans, R. et al.  
Title: A FAMILY OF TRANSCRIPTIONAL  
CO-REPRESSORS THAT INTERACT  
WITH NUCLEAR HORMONE  
RECEPTORS AND USES THEREFOR  
Appl. No.: 09/522,753  
Filing Date: March 10, 2000  
Examiner: G. Leffers  
Art Unit: 1636  
Confirmation 4924  
No:

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  <u>Stephen E. Reiter, Reg. No. 31,192</u> (Printed Name)  <u>[Signature]</u> (Signature)  <u>September 20, 2005</u> (Date of Deposition)
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**AMENDMENT AND RESPONSE UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed May 23, 2005, please consider the following  
amendments and remarks.

Amendments to the Claims are included in the Listing of Claims, which begins on page  
2 of this communication.

Remarks begin on page 7 of this communication.

DLMR\_272816.3

2251- \$60.00

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Response to Office Action (mailed May 23, 2005) faxed September 20, 2005

Page 12 of 12

phrase 'suitable stringency conditions' are unclear." (See page 8, lines 9-10 of the Office Action). As discussed above, one of skill in the art, given the fact that hybridization is a widely used technique, taken together with the context provided by the present claims (i.e., the comparative sequence information which clearly identifies those polynucleotides which fall within the scope of the present claim and those which are outside the scope of the present claim), one of skill in the art could readily identify "suitable" hybridization conditions to accomplish the desired goal.

Accordingly, reconsideration and withdrawal of this rejection of claims 5, 14, 16, 18 and 23-25 under 35 U.S.C. §112, second paragraph, are respectfully requested.

### CONCLUSION

In view of the above amendments remarks, it is respectfully submitted that the present application is now in condition for allowance. Accordingly, reconsideration and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date: September 20, 2005

By 

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Enclosure—Katz Declaration

DLMR\_272016.3